

DETAILED ACTION

1. Applicant's response to the last Office Action, filed 7/21/2009, has been entered and made of record.
2. Applicant has cancelled claims 9-10. Claims 1-8, 11 and 17 are currently pending.
3. Applicant's arguments filed 8/21/2009 have been fully considered. Claims 1-8, 11 and 17 has previously been indicated allowable (see action dated 7/21/2009).

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Douglas McKnight on 11/2/2009.

The application has been amended as follows:

Claims 12-16 are cancelled.

Allowable Subject Matter

5. Claims 1-8, 11 and 17 are allowed.

Art Unit: 2624

The following is a statement of reasons for the indication of allowable subject matter:

After reviewing the remarks made by the Applicant in response to the non-final office action the Examiner finds the remarks to be persuasive. The cited combination of references fails to teach the now claimed combination of limitations. No other found prior art of record teaches or fairly suggests:

a data processing a data processing unit which is coupled to the image-producing device and the TOF-PET unit the data processing unit in conjunction with the image producing device determines a spatial position of the body volume that is filled with blood, and determines detector element position of the TOF-PET unit such that the volume element of the TOF-PET unit lies in the body volume that is filled with blood. The Examiner finds no reason or motivation to combine the above references in an obviousness rejection thus placing the application in condition for allowance.

Any comments considered necessary by applicant must be submitted on later than the payment of the issue fee and to avoid processing delays should preferably accompany the issue fee. Such submissions should be clearly labeled, comments on statement of reasons for allowance.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NANCY BITAR whose telephone number is (571)270-1041. The examiner can normally be reached on Mon-Fri (7:30a.m. to 5:00pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vikkram Bali can be reached on 571-272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nancy Bitar/
Examiner, Art Unit 2624

/Wes Tucker/
Primary Examiner, Art Unit 2624